

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	NO. 3:22-CR-00340
v.)	
)	JUDGE CRENSHAW
MAHAN JANBAKSH)	
a/k/a MARK JANBAKSH)	
STEVEN L. PIPER)	

JOINT STATUS REPORT

The parties submit this joint status report pursuant to the Court's Scheduling Order dated August 22, 2024. (Dkt. 132.)

1. The government has made multiple discovery productions to the defendants. Counsel for the defendants are in the process of reviewing the discovery. There are no issues relating to the discovery productions at this time.

2. Janbakhsh anticipates multiple pretrial motions. Earlier this week, he filed a motion renewing his earlier motion to compel the Government to provide a narrow set of information about its handling of the AMS database. (Dkt. 165.) Janbakhsh previously moved for this same information but agreed to table that motion when the Government allegedly discovered backups of some of the AMS database. (Dkt. 84.) However, Janbakhsh's review of those backups has confirmed his and his counsel's initial concerns: the backups are incomplete, covering only the period through June 2015, which predates all alleged overt acts in the indictment (the earliest of which occurred in November 2015). (Dkt. 3.) Despite substantial effort and expense, Janbakhsh's experts simply cannot replicate the analysis performed by the Government's MCA experts using these incomplete backups.

Janbakhsh's Renewed Motion to Compel remains pending before the Court. But this is not

the only pretrial motion that Janbakhsh intends to file. He also anticipates filing two pretrial motions in the coming weeks:

- i. A Motion to Dismiss the Indictment based on the Government's failure to preserve the complete AMS database, which constitutes a due process violation; and
- ii. A Motion to Exclude the expert testimony of the Government's MCA experts, as their opinions rely on AMS database that Janbakhsh cannot access or verify, making effective cross-examination impossible.

Janbakhsh anticipates that the information he seeks to obtain with the Renewed Motion to Compel will directly support each of these forthcoming motions and possibly even reveal grounds for additional motions. Counsel for defendant Steven Piper advised that he may consider joining one or more of the motions referenced by his co-defendant.

3. There are no communication issues between the defendants and their respective counsel.
4. There are no impediments to trial.
5. There are no other issues that need to be brought to the Court's attention at this time, and there is not a need for an in-person status conference.

Respectfully submitted,

ROBERT E. MCGUIRE
Acting United States Attorney for the
Middle District of Tennessee

BY: s/ Kathryn W. Booth

KATHRYN W. BOOTH
CHRIS SUEDEKUM
Assistant U. S. Attorneys
United States Attorney's Office
719 Church Street, Suite 3300
Nashville, TN 37203
(615) 736-5151
Kathryn.Booth@usdoj.gov
Chris.Suedekum@usdoj.gov

s/ Alex Little

J. Alex Little (No. 29858)
Zachary C. Lawson (No. 36092)
John R. Glover (TN BPR #37772)
Litson PLLC
54 Music Square East, Suite 300
Nashville, TN 37203
Telephone: 615-985-8205
alex@litson.co
zack@litson.co
jr@litson.co
Attorneys for Mark Janbakhsh

s/ Paul J. Bruno

Paul J. Bruno (No. 17275)
Barrett, Johnston, Martin & Garrison, LLC
414 Union Street, Suite 900
Nashville, Tennessee 37219
(615) 244-2202
pbruno@barrettjohnston.com

Jodie Ann Bell
Washington Square Building
214 Second Avenue North, Suite 208
Nashville, Tennessee 37201
615-244-1110/615-953-4977
jodie@attorneyjodiebell.com

Attorneys for Steven Piper